

Department of Public Safety - Commonwealth of Massachusetts
One Ashburton Place – Boston – MA 02108
Board of Elevator Regulations – Hearings
Minutes – November 16, 2010 – 1:00PM

PRESENT:

John Caughey, Chair
John O'Donohue, Member
Harold McGonagle, Member

Gene Piermattei, Secretary – Designee
Kevin McGettigan, Member
Deborah Ho, Admin Assist.

John Otis, Member
Michael Nicorolo, Member

GUEST:

Don/Kate Sohl, owners – 25 Second Street – Natick
Suzan Mehalko, Thyssen-Krupp

Arthur Merritt, Advanced Elevators

Nate Hamilton, Normandy Real Estate – 200 Clarendon Street – Boston, MA
Matthew Salvo – Delta-Beckwith Elevators

Pamela Humphrey, owner – 131 Commonwealth Avenue - Boston, MA
Peter Wallack, Delta-Beckwith Elevators

Tom Riley, DPS Building Code Coordinator

ABSENT/EXCUSED:

None

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- I. Meeting is called to order by John Caughey, Chair at 1:05PM - introduction of the board members
Gene Piermattei, Secretary – Reciting the General Laws – Quorum is present

II. **1:05PM – 25 Second Street – Natick, MA – Don/Kate Sohl**

John Caughey cites the Opening Meeting Laws – Public Hearing - rules and regulations to the Guest – welcomes the petitioners – introduction of members – Gene Piermattei, Secretary, recites the General Court laws, sections, rights to have legal counsel if needed – administering the oath – a permit has been applied for - Petitioner is requesting a variance to allow the usage of a minivator in the petitioner's home. The Sohl's has a child that is wheelchair bound – they family has spent a vast amount of money to have the minivator install in the home – Ms. Sohl stated that when the application was sent in – “they” requested larger drawings for the installation – Ms. Sohl stated that she re-submitted the plans – presently the minivator is not install completely; and that there are loose wires. Looking at pictures, Mr. Caughey asked if Thyssen had a permit for the installation, Suzan Mehalko, Engineering Service Assist. Thyssen; stated that they did not have a permit at the time of installation. Ms. Mehalko continues to describe and explain how the minivator works; from the hatch cover and the interlocking mechanism and safety panel. Kevin McGettigan stated that the minivator does not meet the Sate code; installing agent should know the codes. Mr. Caughey asked how the door from the minivator opens. Ms. Sohl stated that the door swings out and that it will always lock when not in use. Ms. Mehalko describes the minivator – John O' Donohue asked where else have the minivators been installed. Ms. Sohl stated that there is a minivator installed in Medfield – Ms. Mehalko cited that the product has been around since 1989 – Mr. Piermattei cited the codes for the hoist – weight of enclosures – CMR 524; Sec 35 (5) – are there any other children at the home - Mr. O'Donohue asked where are the controls, are keys needed to operate – many members are questioning the safety of the minivator. Mr. McGettigan asked if this installation was denied by DPS because of the codes; Ms. Sohl stated that is was not denied but DPS requested larger drawings of the minivator – Mr. McGettigan further stated that the minivator should of not been installed – no permit was issue for the installation which is in clear violation – Mr. Piermattei stated that DPS receives hundreds of applications and all must be applicable to the codes for approval. Ms. Mehalko stated she has signatures for this installation in Thyssen's office; Mr. Otis asked the Sohls who was the installer of the minivator; Ms. Mehalko stated that Thyssen did the installation. Mr. Piermattei asked why didn't the Sohls and Thyssen Elevator come before the board with this installation. Ms. Mehalko does not know why their field office had not done so. Ms. Sohl stated that the minivator that is in the Medfield house gets inspected on a regular basis. Mr. McGettigan

motioned to approve the variance provided a knee wall is built around the minivator – and what would be a time frame for the completion of the knee wall – a 90 day extension will be granted for the knee wall to be built.

Motioned to grant Variance: Kevin McGettigan
Seconded by: John O'Donohue
Vote: Granted

III. **Boston Medical Center – 3502 Fire Keys – Arthur Merritt – Advanced Elevators**

This is an informal request - Boston Medical Center is requesting to have a Fire Key in case of an emergency Problem with the fire alarm panel at the hospital – all elevators were out of service until fire key was used to start up all the elevators by Advanced Elevators – board members stated that Boston Medical should have trained engineers on staff to work on their own fire panel. Mr. McGettigan stated that they are not allowed to have keys

Motion is denied

IV. **Issue with Schindler Elevator – John O'Donohue – Boston Fire Department**

BFD has asked John O'Donohue to bring it to the board's attention - Mr. O'Donohue stated that occupants were trapped in an elevator in Boston, an occupant had used the elevator telephone to call and was connected to Schindler Elevator that they were trapped in the elevator – one of the occupants in the trapped elevator made a call to the Boston Fire Department – Schindler staff directed the people not to call the Boston Fire Department because they will damage the entire elevator – Mr. McGettigan is requesting the board to send a letter regarding the incident and behavior like that will not be tolerated

V. **1:20PM – Normandy Real Estate - 200 Clarendon Street – Boston, MA – Nate Hamilton**

A permit has not been applied for
200 Clarendon Street garage is being renovated and the construction process is taking place; Normandy is looking to install a wall around the pit doors on both sides for safety purpose. Normandy did not have to apply for a variance to build the wall – a chain will surround the pitted areas – the ball of the wall will be permanent – the suggestions from the board members was to have management keep the area secure and locked and that the keys will be only in the hands of management and the technical crew

Motion to grant the variance: Kevin McGettigan
Seconded by: John O'Donohue
Vote: Granted

VI. **1:40PM – 131 Commonwealth Avenue – Pamela Humphrey**

A Permit has not been applied for this installation – Owners would like a variance to extend beyond the State code of 50 feet for a residential elevator to 61'9" – that will reach the roof of the building – Mr. Caughey asked where the machine room is located in the building, replied by Ms. Humphrey – in the basement – a picture was presented to show when the elevator door will be in connection with roof top – Mr. McGettigan stressed that the Humphrey's request is over the 50 feet by 11 feet of the State code – the board members also stated that to insure no water will

filter through the door that they owners will need to protect the door from the weather. – a provision to grant the variance if that it stays a single residential building.

Motion to grant the variance: John O'Donohue
Seconded by: Michael Nicoloro
Vote: Granted

VII. **2:00PM – Tom Reilly – Building Code Coordinator**

Discussion of Fire Service Access Elevators – the chapters and sections – Mr. Reilly stated that he has been asked to adopt the building codes aspects of book IBC-2009 describing the fire service access elevators –